House File 34 - Introduced

HOUSE FILE 34 BY KRESSIG

A BILL FOR

- 1 An Act concerning motor vehicle-related violations that result
- 2 in serious injury or death and are committed while the
- 3 operator has a denied, canceled, suspended, revoked, or
- 4 barred driver's license, and providing penalties.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- Section 1. NEW SECTION. 321.482B Violations committed while
 operating without valid driver's license serious injury or
 death penalty.
- 1. In addition to any other penalty provided by law, a person who operates a motor vehicle while the person's driver's license or operating privilege is denied, canceled, suspended, revoked, or barred and who commits a moving violation during such operation that results in serious injury, as defined in section 702.18, to another person is guilty of a serious
- 11 2. In addition to any other penalty provided by law, a
 12 person who operates a motor vehicle while the person's driver's
 13 license or operating privilege is denied, canceled, suspended,
 14 revoked, or barred and who commits a moving violation during
 15 such operation that results in the death of another person is
 16 guilty of an aggravated misdemeanor.

10 misdemeanor.

- 17 3. For the purposes of this section, "moving violation"
 18 means as defined in 761 IAC 615.1, and does not include any
 19 violation not considered a moving violation under this chapter.
 20 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- This bill provides that a person who operates a motor vehicle while the person's driver's license or operating privilege is denied, canceled, suspended, revoked, or barred and who commits a moving violation during such operation that results in serious injury to another person is guilty of a serious misdemeanor. If the moving violation results in the death of another person, the person is guilty of an aggravated misdemeanor. Under Code section 903.1, a serious misdemeanor is punishable by a fine of at least \$315 but not to exceed \$1,875 and imprisonment not to exceed one year. An aggravated misdemeanor is punishable by a fine of at least \$625 but not to exceed \$6,250 and imprisonment not to exceed two years. The bill provides that these penalties are in addition to any other

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- 1 penalties provided by law.
- 2 The bill defines "moving violation" as the term is
- 3 defined in the Iowa administrative code by the department of
- 4 transportation. Under the bill, "moving violation" does not
- 5 include any violation not considered a moving violation under
- 6 Code chapter 321.